

## **10 CSR 10-6.368 Control of Mercury from Electric Generating Units.**

### **(1) Applicability.**

(A) The following coal-fired units in a State shall be Mercury (Hg) Budget units, and any source that includes one or more such units shall be a Hg Budget source, subject to the requirements of this subpart:

1. Except as provided in subsection (B) of this section, a unit serving at any time, since the start-up of the unit's combustion chamber, a generator with nameplate capacity of more than 25 MWe producing electricity for sale.
2. For a unit that qualifies as a cogeneration unit during the 12-month period starting on the date the unit first produces electricity and continues to qualify as a cogeneration unit, a cogeneration unit serving at any time a generator with nameplate capacity of more than 25 MWe and supplying in any calendar year more than one-third of the unit's potential electric output capacity or 219,000 MWh, whichever is greater, to any utility power distribution system for sale. If a unit qualifies as a cogeneration unit during the 12-month period starting on the date the unit first produces electricity but subsequently no longer qualifies as a cogeneration unit, the unit shall be subject to subsection (A) of this section starting on the day on which the unit first no longer qualifies as a cogeneration unit.

### **(B) Retired Unit Exemption.**

1. Any Hg Budget unit that is permanently retired shall be exempt from the Hg Budget Trading Program, except for the provisions of this subsection, §60.4102, §60.4103, §60.4104, §60.4106(c)(4) through (7), §60.4107, §60.4108, §60.4110 through §60.4114, and §60.4150 through §60.4162 as incorporated by reference in section (3) of this rule.
2. The exemption under paragraph (B)1. of this subsection shall become effective the day on which the Hg Budget unit is permanently retired. Within 30 days of the unit's permanent retirement, the Hg designated representative shall submit a statement to the permitting authority otherwise responsible for administering any Hg Budget permit for the unit and shall submit a copy of the statement to the Administrator. The statement shall state, in a format prescribed by the permitting authority, that the unit was permanently retired on a specific date and will comply with the requirements of subsection (C) of this section.
3. After receipt of the statement under paragraph (A)2. of this subsection, the permitting authority will amend any permit under §60.4120 through §60.4124, as incorporated by reference in section (3) of this rule, covering the source at which the unit is located to add the provisions and requirements of the exemption under paragraph (A)1. and subsection (B) of this section.

### **(C) Special provisions.**

1. A unit exempt under subsection (A) of this section shall not emit any mercury, starting on the date that the exemption takes effect.



2. The permitting authority will allocate Hg allowances under §60.4140 through §60.4142, as incorporated by reference in section (3) of this rule, to a unit exempt under subsection (A) of this section.
3. For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under subsection (A) of this section shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
4. The owners and operators and, to the extent applicable, the Hg designated representative of a unit exempt under subsection (A) of this section shall comply with the requirements of the Hg Budget Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
5. A unit exempt under subsection (A) of this section and located at a source that is required, or but for this exemption would be required, to have a title V operating permit shall not resume operation unless the Hg designated representative of the source submits a complete Hg Budget permit application under §60.4122, as incorporated by reference in section (3) of this rule, for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2010 or the date on which the unit resumes operation.
6. On the earlier of the following dates, a unit exempt under subsection (A) of this section shall lose its exemption:
  - A. The date on which the Hg designated representative submits a Hg Budget permit application for the unit paragraph (C)5. of this subsection;
  - B. The date on which the Hg designated representative is required under paragraph (C)5. of this subsection to submit a Hg Budget permit application for the unit; or
  - C. The date on which the unit resumes operation, if the Hg designated representative is not required to submit a Hg Budget permit application for the unit.
7. For the purpose of applying monitoring, reporting, and recordkeeping requirements under §60.4170 through §60.4176, as incorporated by reference in section (3) of this rule, a unit that loses its exemption under subsection (A) of this section shall be treated as a unit that commences operation and commercial operation on the first date on which the unit resumes operation.

- (2) Definitions. Definitions of certain terms in this rule, may be found in 10 CSR 10-6.020.
- (3) General Provisions



- (A) All of the subsections, unless otherwise noted in this section, of 40 CFR 60 Subpart HHHH promulgated as of July 1, 2005 are hereby incorporated by reference in this rule, as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, D.C. 20408. This rule does not incorporate any subsequent amendments or additions. The following subsections are not incorporated by reference:
1. 40 CFR 60.4140 State trading budgets,
  2. 40 CFR 60.4141 Timing requirements for Hg allowance allocations, and
  3. 40 CFR 60.4142 Hg allowance allocations.
- (B) Hg allowance timing.
1. Timing requirements for Hg allowance allocations.
    - A. By October 31, 2007, the permitting authority will submit to the Administrator the Hg allowance allocations, in a format prescribed by the Administrator, for the control periods in 2010, 2011, 2012, 2013, 2014, 2015, 2016, and 2017 consistent with the allocations established in subsection (C) of this section.
    - B. By October 31, 2007, the permitting authority will submit to the Administrator the Hg allowance allocations, in a format prescribed by the Administrator, for the control period beginning 2018 and extending through 10 control periods consistent with the allocations established in subsection (C) of this section.
    - C. By October 31, 2018 and October 31 of every tenth year following, the permitting authority will submit to the Administrator the Hg allowance allocations, in a format prescribed by the Administrator, for the control period 10 years in the future and extending through 10 control periods consistent with subsection (C) of this section.
- (C) Hg allowance allocations.
1. The state trading program Hg budget allocated by the director under paragraph 2. of this subsection for a control period will equal the total number of tons of emissions apportioned to the Hg budget units in Missouri for the control period, as determined by the applicable, approved state implementation plan.
  2. The following Hg budget units shall be allocated Hg allowances for each control period in accordance with Table I of paragraph 2. of this subsection

Facility ID	Facility Name	Unit ID	Percentage of Statewide Hg Pool	Annual Hg Allocation Phase I (Ounces)	Annual Hg Allocation Phase II (Ounces)
2076	ASBURY	1	1.873%	835	330
2079	HAWTHORN STATION	5A	5.717%	2,548	1,006
2080	MONTROSE STATION	1	1.581%	705	278
2080	MONTROSE STATION	2	1.642%	732	289
2080	MONTROSE STATION	3	1.634%	729	288
2094	SIBLEY	1	0.519%	231	91
2094	SIBLEY	2	0.517%	230	91



2094	SIBLEY	3	3.349%	1,493	589
2098	LAKE ROAD	6	0.941%	420	166
2103	LABADIE	1	5.055%	2,253	890
2103	LABADIE	2	5.202%	2,319	916
2103	LABADIE	3	5.777%	2,575	1,017
2103	LABADIE	4	5.177%	2,308	911
2104	MERAMEC	1	1.266%	564	223
2104	MERAMEC	2	1.172%	523	206
2104	MERAMEC	3	1.885%	840	332
2104	MERAMEC	4	2.839%	1,265	500
2107	SIOUX	1	3.636%	1,621	640
2107	SIOUX	2	3.675%	1,638	647
2123	COLUMBIA	6	0.057%	25	10
2123	COLUMBIA	7	0.061%	27	11
2132	BLUE VALLEY POWER	3	0.223%	99	39
2161	JAMES RIVER	3	0.498%	222	88
2161	JAMES RIVER	4	0.619%	276	109
2161	JAMES RIVER	5	1.036%	462	182
2167	NEW MADRID POWER PLA	1	4.766%	2,125	839
2167	NEW MADRID POWER PLA	2	5.267%	2,348	927
2168	THOMAS HILL ENERGY C	MB1	1.954%	871	344
2168	THOMAS HILL ENERGY C	MB2	2.886%	1,286	508
2168	THOMAS HILL ENERGY C	MB3	7.021%	3,130	1,236
2169	CHAMOIIS POWER PLANT-	2	0.438%	195	77
6065	IATAN STATION	1	6.924%	3,087	1,219
6155	RUSH ISLAND	1	5.001%	2,229	880
6155	RUSH ISLAND	2	4.768%	2,125	839
6195	SOUTHWEST	1	2.324%	1,036	409
6768	SIKESTON	1	2.699%	1,203	475
	Total		100%	44,576	17,600

3. Any unit subject to section (1) other than those listed in Table I of this subsection will not be allocated Hg budget allowances under this rule.

(4) Reporting and Record Keeping. *(Not Applicable)*

(5) Test Methods. *(Not Applicable)*